

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

United States of America,)	
)	DEFENDANT EDELL JACKSON'S
Plaintiff,)	MOTION IN LIMINE TO LIMIT
)	PROPOSED EXPERT TESTIMONY
vs.)	
)	Crim. No. 21-051 (DWF/TNL)
Edell Jackson,)	
)	
Defendant.)	

Defendant Edell Jackson, through his counsel, Daniel L. Gerdt, Esq., respectfully moves the Court *in limine* to limit the Government's proposed expert testimony at trial.

In its disclosures regarding expert testimony, the Government has indicated that it will call Special Agent Bryan Lervoog of the Bureau of Alcohol, Tobacco, Firearms and Explosives to testify about an alleged firearm that is the subject of Count 1 of the indictment. The Government has noticed its intent to have the agent give his opinion as to whether the alleged firearm is indeed a firearm, as well as his opinion as to whether it travelled in interstate and foreign commerce.

The subject matter of both of these proposed "opinions" are elements of the offense, and for the jury exclusively to render its opinion. The testimony should not be permitted. Likewise, when Agent Lervoog is asked his opinion whether Defendant is guilty or not guilty of the offense, the Court should prohibit any response.

Dated: 17 February 2022

Respectfully submitted,

DANIEL L. GERDTS, LAWYER

s/ Daniel L. Gerdts

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